

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

BOBBY JOE SMITH, II,)
vs.)
Plaintiff,)
vs.)
LAWTON CORRECTIONAL FACILITY,)
Grievance Reviewing Authority, et al.,)
Defendants.)
No. CIV-18-110-C

ORDER ADOPTING REPORT AND RECOMMENDATION

This civil rights action brought by a prisoner, proceeding pro se, was referred to United States Magistrate Judge Bernard M. Jones, consistent with the provisions of 28 U.S.C. § 636(b)(1)(B). Judge Jones entered a Report and Recommendation on March 7, 2018, to which Plaintiff has timely objected. The Court therefore considers the matter de novo.

It is not clear whether Plaintiff has any objection to the findings and conclusions of Judge Jones, or is simply trying to condition his acquiescence to them on a change in prison policy and federal law. But in any event, he raises no argument of fact or law requiring or permitting a different result.

Accordingly, the Court adopts, in its entirety, the Report and Recommendation of the Magistrate Judge, and for the reasons announced therein, Ground Two (due process in regard to the grievance process) is dismissed with prejudice; the complaint is dismissed with prejudice as to Defendants LCF Grievance Review Authority, DOC Administrative Review Authority, and Defendants Caldwell and Hulderman in their official capacities;

and the complaint is dismissed without prejudice as to Defendants Mary Fallin, Joe Allbaugh, and Mark Knutson in their official and individual capacities, and Defendant GEO Corp. This matter is recommitted to Judge Jones under the original order of referral.

IT IS SO ORDERED this 20th day of March, 2018.



ROBIN J. CAUTHRON
United States District Judge